

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

INTELLECT WIRELESS, INC., ,	)	
	)	
Plaintiff,	)	No. 08 C 1215
	)	
v.	)	Hon Joan B. Gottschall
	)	
T-MOBILE USA, INC., UNITED STATES	)	
CELLULAR CORP., VIRGIN MOBILE USA.,	)	
and HELIO, INC.,	)	
	)	
Defendants.	)	

**DEFENDANT AND COUNTERPLAINTIFF UNITED STATES CELLULAR  
CORPORATION'S UNOPPOSED MOTION FOR LEAVE TO AMEND ITS ANSWER,  
SEPARATE DEFENSES, AND COUNTERCLAIMS**

Pursuant to Federal Rule of Civil Procedure 15(a), defendant United States Cellular Corporation ("US Cellular") hereby moves for leave to amend its Answer, Separate Defenses, and Counterclaims. Leave is sought to remove the counterclaim of unenforceability and to plead a defense of prosecution laches. (The proposed amended pleading is attached.) Plaintiff Intellect Wireless, Inc. has indicated that it does not oppose the relief sought in this motion. Under Rule 15(a), leave to amend should be freely given when justice so requires. *See Forman v. Davis*, 371 U.S. 178, 182 (1962). Here, the case was just filed on February 28, 2008 and discovery has not even commenced.

WHEREFORE, US Cellular respectfully requests leave to file First Amended Answer, and Counterclaims.

Respectfully submitted,

Dated: April 15, 2008

UNITED STATES CELLULAR CORPORATION

By: /s/ Nabeel U. Khan  
One of its Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 15th day of April 2008, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

By /s Nabeel U. Khan  
Nabeel U. Khan